

Docket No.: 99-091
Serial No. 09/586,742

#3

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Van Luchene et al.)

For: SYSTEMS AND METHODS FOR)
FACILITATING A)
TRANSACTION BY MATCHING)
SELLER INFORMATION AND)
BUYER INFORMATION)

Group Art Unit: 2768

Examiner: Not Yet Assigned

Docket No.: 99-091

Serial No.: 09/586,742)

Filed: June 5, 2000)

RECEIVED

SEP 26 2000

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Att: Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

PETITION REQUESTING FILING DATE

In response to the Notice of Omitted Item(s) mailed August 7, 2000 regarding the above-identified application, Applicants respectfully request a determination that page one (1) of the specification was in fact received by the U.S. Patent and Trademark Office (the "PTO") on June 5, 2000.

09/25/2000 EHAMMOND 00000068 500271 09586742

01 FC:122 130.00 CH

Adjustment date: 01/12/2001 LGIBBS
09/25/2000 EHAMMOND 00000068 500271 09586742
01 FC:122 130.00 CR

Applicants Request A Determination That Page One Was Received by the PTO

On June 5, 2000, Applicants filed U.S. Patent Application Serial No. 09/586,742 (the “‘742 application”) with the PTO. Attachment A is a copy of page one of the specification that was included as part of the ‘742 application.

Attachment B is a copy of the return postcard indicating that the PTO received the ‘742 application on June 5, 2000. In particular, the return postcard indicates that the PTO received a “Patent Application (72 pages).” The ‘742 application does in fact have 72 pages, including page one. Thus, the postcard receipt itemizes and properly identifies the papers which were filed and serves as prima facie evidence of receipt in the PTO of the items listed thereon on the date stamped thereon by the PTO. MPEP 503.

Attachment C is a copy of the Certificate of Mailing by Express Mail and the Utility Patent Application Transmittal that were submitted along with the ‘742 application. The Transmittal likewise indicates that a “Specification having 72 pages” (*i.e.*, including page one) was included with the ‘742 application.

In view of the above, Applicants respectfully request a determination that page one of the specification was received by the PTO on June 5, 2000 as part of the application papers. The Commissioner is hereby authorized to charge the petition fee of \$130 under 37 CFR 1.17(i) to Deposit Account No. **50-0271**.

Alternative Petition Under 37 CFR 1.182

In the event that such a determination is not made, Applicants respectfully petition under 37 CFR 1.182 to have the date of this Petition (August 22, 2000), which includes a copy of page one of the specification, be the filing date of the ‘742 application. The Commissioner is hereby authorized to charge the petition fee of \$130 under 37 CFR 1.17(h) to Deposit Account No. **50-0271**. Attachment D is a Supplemental Declaration in compliance with 37 CFR 1.63 and 1.64 referring to page one of the specification.

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Conclusion

Applicants respectfully request a determination page one of the specification was received by the PTO on June 5, 2000. Please charge any fees that may be required with respect to the '742 application, or credit any overpayment, to Deposit Account No. **50-0271**. A duplicate copy of this sheet is provided for this purpose

Respectfully submitted,

September 19, 2000
Date

A handwritten signature in cursive script that reads "Patrick Buckley".

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